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TRADE SCHOOL NEWS

"Little man whip a big man every time if the little man's
in the right and keeps a' comin'."

(Motto of the Texas Rangers)

WHEREFORE T. S. NEWS AN EDITORIAL

This issue is a re-affirmation of the T. S. News spirit under which this paper has been printed from time to time during the past three years, and it is also something of a new beginning. The new staff will continue its policy of total editorial and financial independence from the Law School Administration.

This means of course that we will not solicit or accept funds from the school administration. Our financing will depend on the contributions and support of our readers.

We shall publish monthly. Our aim is to provide C. S. U. law students the nitty gritty of whats happening at the Trade School. Our format shall combine investigative reporting with 'straight' news, humorous pieces, letters-to-the-editor, and a free whelling editorial policy.

* * *

NEWS BRIEFS

College of Law Moves into its new (sic) "temporary" building. Our roving man-in-the-hall asked the student-in-the-hall for his appraisal - some sample opinions -

"It's got sanitary colors."

"Who cares! I'm here to learn the law, don't waste my time with such nonsense!"

On the Library -

"I go to reserve a lot."

"The smell and heat are oppressive during 'cram' hour (5 - 6 o'clock) but at least it's our law library again."

"We need more books and less 2-hour-check-out crap."

"The librarians seem to have nice offices."

Fire Bugs Play Halloween Tricks

The Law School has been the victim of several fake fire alarms during the past week. Although state law requires evacuation of the building, the word from the Dean's suite was nobody should leave unless the fire was "serious". About 30 minutes later the key was found to turn off the alarms.

Student Bar Association Election for student representatives will be held on November 6 and 7.

Students wishing to become candidates must fill out a form in the SBA office before Nov. 2. Statements will be published in the Gavel and must be submitted before Nov. 6

OF GOD AND MAN AT C. S. U.: Some Thoughts on Paper Chasing at the Trade School

by Terry L. Saron, '73

I have been asked by the new Editor-in-chief of the soon-to-be resurrected Trade School News to write down my observations-sense-impressions-picture-images-remembrances-etc. as a recent law graduate. As Editor "emeritus" of T. S. News, which I co-founded and published intermittently over the last three years, I felt obligated to comply. By coincidence, I saw Paper Chase the other day, which is a film about what it's like to be a first-year student at Harvard Law School.

Like Paper Chase, my law school career consisted chiefly of confrontations in-and-out-of-class with my professors: a three-year campaign to penetrate the consciousness of the individuals whose job it was to rearrange my mind, take apart and reassemble those thought-generating synapses and neurons shaking around in my conk, hopefully with the end and aim of expanding and refining my natal ability to analyse and assimilate facts. At the heart of Director-Writer James Bridges' fine film is the dramatization of this ambivalent, highly peculiar relationship struck between student and professor.

Measuring and defining the emotional and intellectual parameters of such a relationship was one of the goals of John Jay Osborne's novel from which the film derived. What both novel and film lose sight of is the changing and diverse nature of law students' professional motives as well as the essentially exclusive nature of any teacher-student relationship (if only from the student's unilateral perspective)--hence the danger and futility of generalizing therefrom.

This is a mere quibble compared to what I believe to be a real danger--very clear and omnipresent--in the film: the glorification of the kind of academic tyranny that apparently prevails at Harvard--the kind that intensifies competition, impersonalizes classroom exchange and astigmatizes students' professional visions so that no clear overview of the legal system can be seen beyond the narrowing illuminated beam of personal achievement symbolized by the letter grade.

I actually had a law professor who would have liked to affect the posture of a patrician, formidably disdainful, classroom legend-terror such as John Houseman's Professor Kingsfield (who teaches Contract Law and calls his work "brain surgery"). Actor Houseman, who in real life is evidently quite a formidable fellow (among countless other accomplishments, with Orson Welles he established the Mercury Theatre of the Air as the finest repertory company in radio history), succeeds too brilliantly in romanticizing his character, turning him into a kind of professor-god, worshipped and feared by his students, who dispenses wisdom as if filled with a sense that he is sole custodian and purveyor of a vast, arcane, inaccessible body of knowledge which is vital to his student-disciples' professional survival.

In real life, such men all too often are nothing more than academic muggers who strutting and prating in the classroom veil the machinations of physical cowards who wield their titular professorships like bludgeons in the face of every student they ever taught or or tried to teach. Both the filmic Kingsfield and the all-too-real former and for-now anonymous professor to whom I earlier adverted are at base cruel and jealous bullies, neurotics who cock their sick egos like guns, take aim and let fire at their hapless students. Houseman keeps the lid on Kingsfield, making him a restrained if seasoned veteran of classroom guerilla combat. In the film, the student-protagonist provokes an altercation. During my stint at law college, the professor in question was invariably agent-provocateur. Prof. Kingsfield nicely averts a major classroom crisis after Hart, well-played by Timothy Bottoms, calls him an S. O. B., and bids Hart-Bottoms to return to his seat. My real life professor has brusquely, and with little or no sense of personal style, shown more than

one student the door during class.

I advocate a double-standard: students need confrontation with their professors because it makes classroom experience real, and I suppose they have a certain right to exact retribution from the people who so dispassionately shuffle their brains around for three or four years. Conversely, classroom exchanges are lopsided: professors know both the answers and the questions. Cruelty, deliberate embarrassment of a student for didacticism's sake is not kosher in my book.

To those students who must still labor under the boot of my old prof., an exhortation: the whole idea of becoming a lawyer is that you don't take shit from anyone! You are, all things considered, adults--you have families, hold positions of responsibility in the community, some of you are rich, etc.--and furthermore, law school, Harvard notwithstanding, is not boot camp. Finally, trial by Ordeal-qua-academic precept is strictly medieval. Laugh all such pompous pedagogues out of class, or force them to mend their ways!

To the faculty, and especially to one particular member of the faculty, I respectfully submit: Do not vaunt yourselves as professors after-the-mold of such a man as Paper Chase's Kingsfield. Men like Kingsfield are really dinosaurs in tweed skins. A professor doesn't have to be a pal, a buddy, a clown, or even a particularly nice person. It is axiomatic that respect, not fear nor emotional bribery nor any manner of pedagogical trickery in your arsenals of tricks, must exist bilaterally as between both student and professor before one may effectively inculcate a reverence for the subject matter of the law. That is what I perceive your jobs to be. For me, some of you succeeded admirably and I will never forget you for it. As an American citizen, a literate person, a person who for the most part lives in the real world, I've found my legal education to be invaluable without yet ever having practiced law. My god, how does anyone without a law degree make it through the morning paper or the evening news? Enough said.

Have a good year.

THE PROFESSORS' REPORT CARD: Results of the Faculty Evaluations

No doubt there is entirely too much rating and 'evaluation' of people going on in this country. With that being said, however, there is no need to forego faculty evaluations that can be of service to the law student in wending his way through the institution of legal learning. At a time when the learned judges of Cuyahoga County have the Bar Association and newsmen's ratings of their judicial performances published on the front page of The Plain Dealer, it should come as no surprise to the faculty to learn that their day has come.

How Grades and Evaluations Compiled

All grades and evaluations are based on the collective judgement of students who participated in the joint faculty - SBA sponsored evaluations of faculty and courses held during the last week of classes for the Fall Quarter, 1972. The individual student evaluations and compiled objective data are available to all at the front desk of the law library.

The 'grade' a professor received was obtained by taking the average of the responses made to certain key questions found in the objective part of the evaluation students were asked to complete. For upper level courses where students have had contact with a fair number of professors, question 12 was used to determine the objective 'grade'. The question and responses read, "Compare this professor to others at the law school -

- a) distinctively above average
- b) average
- c) distinctly below average".

For first year (500 level) courses a more complicated formula was used, that averaged the collective responses of thirteen questions that students were asked. These questions dealt with teaching effectiveness, personality and social attitudes, and knowledge of the subject material taught.

A four point scale, as students are accustomed to, was used in assigning letter grades, i. e. A = 4.0 (rounded), B+ = 3.5 (rounded) etc.

The written evaluations are extracts and paraphrases of the most frequently expressed student opinions in the free - form part of the evaluation. These views do not necessarily represent the view of T. S. News or its staff. Additional report cards will be published when and if more evaluations become available.

Some Caveats

1. These grades are based on published data from the Fall, 1972 Faculty Evaluations. They may not be indicative of present performances of inexperienced teachers who presumably should have improved since then.
2. A teacher's preformance may vary depending on the course he's teaching.
3. Some evaluations may be inconsistent, this merely reflects a divergence of opinion in the class on this prof.
4. Only frequent responses were selected, lots of stuff necessarily got left out. Solution - see the originals in the library.
5. As evaluations are done before the exams are administered, grading and examination practices are not reflected.

<u>Prof.</u>	<u>Course</u>	<u>Evaluation</u>	<u>Grade</u>
Auerbach	Evidence	Dedicated, excellent preparation & superb knowledge, demanding of students, sometimes gets off track, traditional teaching methods.	A
Browne	Equity	Well prepared, good handouts, traditional case recitation method, clear, concise presentations, "black letter" law approach, no in depth analysis of cases & principles, methodical.	A
Buckley	Commercial Law I	Inexperienced, disorganized, confusing class discussion, slow pace, boring, full class participation encouraged, understanding of students, vague presentations.	D
Chitlik	Trial Preparation	Practical approach, helpful & accessable, tries to cover everything, professional, moderately demanding, open to student input.	B
Cohen	Labor Law	Brilliant, hard working, emphasis on legal analysis skills, dynamic speaker, well prepared, intellectually stimulating, in depth analysis of cases, does not cover all materials.	A
Douglas	Commercial Law I	Inexperienced, equalitarian low-key approach, volunteer method of recitation, soft spoken, easy going, too slack, lack of familiarity with subject, honest, 1st time he taught course.	D
Dyke	Criminal Law	Not available	C+
Flaherty	Wills		B+
Garee	Legal Bibliography	"Nice lady, poor instructor", simple material, good exposure to methods of research, busy-work assignments, course poorly organized, no practical research done, OBAR & guest speaker waste of time.	C

<u>Prof.</u>	<u>Course</u>	<u>Evaluation</u>	<u>Grade</u>
Goshien	Legal Profession (Seminar)	Well prepared, demanding of students, authoritative presentations, theoretical orientation, realistic analysis.	B
Kelder	Criminal Law	Knowledgeable, well prepared, assumes too much knowledge by students, fast talker, energetic presentations, tries to cover too much, theoretical approach, black letter law not stressed, considers various viewpoints on legal issues, first time teacher.	B
Lewitt	Estate & Gift Tax		B+
Moody	Commercial Law I	Knowledgeable, always well prepared, relaxed classroom atmosphere, no pressure on students, allows students to wander from subject, emphasizes basics, simplifies complex materials, uses classroom problems, thorough lectures.	B+
Murad	Commercial Law I	Case by case method, knowledgeable, frequent digressions, invokes strong pro and con reactions intolerant of other views, harrassment of some students, weak on theory & principles, all cases covered, poor pacing, superficial, shallow preparation, often late for class, humorous	C
	Criminal Law	Lays out the "black letter" law	C+
Picker	Sex Discrimination	Working knowledge of subject area, dynamic, well organized presentation well prepared, excellent ratings	A
Rippner	Probate Practice	Complete mastery of subject matter, humorous, informal atmosphere, clear presentation, reads his notes, practical orientation.	B+
Ruben	Interviewing -	Not available	B
	Agency & Partnership		A
Schwartz	Probate Practice	Knowledgeable, clear but dry lectures, intelligent, competent, reads his notes, practical orientations	B
Sonenfield	Personal Property	Experienced, knowledgeable, well prepared, full in class explanations, does not create tension in class, well organized, socratic method, much outside reading, frequent use of "hypos", interesting discussions.	A
	Municipal Corps.		A
Tabac	Criminal Law	Disorganized, knowledgeable, fair & open to students, doesn't cover all the materials, answers questions with questions, interesting informal classroom discussions, no pressure on students, socratic method with positive reinforcement for good responses, no black letter law.	B

<u>Prof.</u>	<u>Course</u>	<u>Evaluation</u>	<u>Grade</u>
Torbet	Municipal Corps.	Not available	C
Willey	Criminal Law		C+
Zashin	Agency & Partnership	Well organized, provides examples from his legal practice, dictates his notes to class, high ego quotient, picks class favorites, first time teacher, complete coverage of cases, not always prepared, not very knowledgeable in subject, dresses down certain students.	C+

AN INTERVIEW WITH THE DEAN

by Jerry Emoff

(First of a Two Part Series)

(The following article is the result of an in-depth and candid interview with Dean Craig Christensen given exclusively to Trade School News. The T. S. News last interviewed the Dean on May 25, 1971, shortly before he was named Dean of C. S. U. College of Law. Where relevant, excerpts from that interview, originally published July 16, 1971 are printed along with Dean Christensen's present views.)

TENURE:

1971 - "Tenure was never intended to be used as a disguise to cover up bad teaching. The Dean should initiate tenure review. There can be no tenure without a favorable evaluation of classroom performance. It is intolerable to have tenure turn on a closed-door faculty meeting or a popularity contest. I don't know how you break up the 'club' but it must be done. Classroom performance should be judged through the use of student evaluations and periodic review by the Tenure Committee and the Dean."

1973 - When the Dean first came to this law school, tenure was granted at an annual meeting at which the tenured faculty was simply given a list of all untenured faculty. There is now a formal evaluation system consisting of class visits and review of publications. There is "a review of the whole man." Student evaluations of professors are also used for the purpose of tenure.

There is an ad hoc committee appointed to gather data on each candidate for tenure, and this information is then given to the rest of the tenured faculty. This committee reads "every student evaluation for each particular candidate." Dean Christensen has proposed that student evaluations be used on a university-wide basis as part of the tenure process, however, he has not prevailed.

"I still think. . . tenure is a legitimate and useful institution; less useful, though, than I thought 2 years ago. I would love to see a reform of tenure which made it not the kind of de-facto, 100% iron - clad job assurance that it is now."

The Dean does not think there have been "any significant abuses" in granting tenure during his tenure at C. S. U.

THE CHITLIK AFFAIR

The Dean was reluctant to discuss the Professor Edward ("Fast Eddie") Chitlik Affair because he didn't want to revive it. Then, he went on to revive it. What happened was that Chitlik was nominated for tenure by the tenured faculty on condition he give up his outside practice. Chitlik would not accept this condition, however, in the end he agreed to it. The tenured faculty gave Professor Chitlik an extra six months to

give up his outside practice and this was the final agreement upon which he was granted tenure. Professor Chitlik "is not free to hold himself out to the public as being generally available for the practice of law." This is the general policy of the law school on the question of the outside practice of law, and it does not preclude some outside work. The Dean feels some outside work permits a person to maintain his skills and make a contribution to the community. The problem is really how to draw the line. One line at CSU is that a faculty member cannot draw a full salary while at the sametime maintain a full-time practice. Other rules in this area are not "hard and fast." But "everybody's free to take some cases."

BAR EXAM RESULTS:

1971 - "It is an appalling fact that this school is consistently in last place. As to the causes for such a situation, I'd rather not speculate. However, I suspect that a greater emphasis on legal analysis and legal writing, as opposed to, say, our own bar review course, is in order."

1973 - "Our figures are comparable to other schools. (The July '73 bar results came out after this interview. C. S. U. graduates passed at the rate of 96%, the state average was 94% Ed.)

CLINICAL PROGRAMS:

"We had a very good first year, but we have a long way to go. The program has had some serious obstacles thrown in its path by curriculum changes. Most of the students think the program is valuable." The Dean also noted that despite a concerted recruitment effort, few night students have enrolled in the program and financial aid grants for night students have gone unused.

ADMISSION STANDARDS:

"Undergraduate grades and LSAT scores are statistically the best predictors of performance in law school. The Educational Testing Service of Princeton, New Jersey, has correlated and tested the validity of first year class results with undergraduate grades and LSAT score and the above is found to be true. But there has been some experimenting.

"This school has concluded that the policy reasons for having more minorities represented in the legal profession justify a special affirmative recruitment program which concentrates on minorities." People from minority groups may be admitted to this law school, therefore, based on other factors such as interviews, recommendations from teachers and evidence of special motivation. "We will not fill the whole entering class based simply on the numbers." This is not a quota system but rather a special admissions program. There were about 200 people who were processed in this manner last year and about 80 were admitted into the first year class based upon "special accomplishments."

GRADING:

The grading guidelines have succeeded in "eliminating the egregious abuses of people who simply used wholly different system of grading to grade the same people. I don't like the guidelines. I think they take away the discretion that ought to be vested in the individual instructor. I'd rather not have them. I think the faculty from the beginning would rather not have had them." But the guidelines had to be mandatory in order to work or the "desperate cases" would not have accepted them. The grading guidelines have produced a more uniform system of grading since this has occurred. The guidelines can be relaxed and become more flexible.

One of the problems with the guidelines is the visibility of abuses. Faculty members never blame the guidelines for high grades, only low ones. The Dean approximately gave the following illustration:

Baron Bilgewater submitted some grades that were not in compliance with the guidelines. They were too low. The Duke refused to grant an exception. The Baron skipped home in a westerly direction leaving a trail of bread crumbs so that he wouldn't trespass on anyone's property on the return trip. Bilgewater reconsidered the grades and submitted new ones. This time they were too high. Then, Bilgewater posted for the entire kingdom to see this second set of grades indicating that but for the guidelines, you peasants would have gotten these high grades and instead you must settle for lower ones.

The Dean has no particular reforms in mind for grading, however, there may be more experiments with pass-fail grading.

"If students really collectively ever really want more pass-fail grading, I suspect that it will come. Here, students haven't been that high on it."

STUDENT INVOLVEMENT:

1971 - The law school is an institution aimed at protecting the rights of people in a participatory democracy and should practice what it preaches. There must be students in on all phases of decisions, except on the final decisions regarding personnel (which should be made by the faculty). The students should be involved in all levels of the administrative process of the law school. People are tired of administrative abuses and this applies to the law school as well. "I cannot think of a committee from which students should be excluded."

1973 - Students are represented now on all committees and the principle of student involvement is accepted. A student who is active on any particular committee will have great influence on that committee. The degree of interest determines how much student participation there will be in the administration of the law school.

"There is not much resistance to student involvement . . . a lot of students aren't even interested."

Contest of the Month

Does the T.S. News logo still reflect the zeitgeist of Cleveland-Marshall College of Law? Or have things changed over the past 3 years at the Trade School to the point where this cartoon is no longer relevant? The staff solicits your comment and drawings as to what the T.S. News logo should be.

The best drawings will be published in next month's issue.

Quiz Corner

q: What is the student-faculty ratio at C. S. U. Law School?

a: 22 full-time students to
1 full-time faculty member

q: What is the faculty-administration ratio at C. S. U. Law School?

a: 2 full-time faculty members to
1 full-time administrative employee

Windfall Profits Dept.

Congratulations to Prof. Sam Sonenfield for landing a big one this month. Professor Sonenfield received \$20,000 in settlement of a suit he had brought against a former employer, Union Commerce Bank, for allegedly discharging him in 1970 without his pension. The bank apparently forgot the old personnel manager's maxim "It's always better to retire than to fire."

STAFF: Paul Hudson (Editor),
Jerome Emoff
Clarence Bolden

Additional staffers, especially incoming first year students (or even outgoing ones) are more than welcome, they're needed !!!